

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE:— There are two Extraordinary issues to the Official Gazette, Series I No. 39 dated 26-12-97 as follows:

- 1) Extraordinary dated 29-12-1997 from pages 681 to 682 regarding Notification from Department of Law and Judiciary (Legal Affairs Division)
- 2) Extraordinary No. 2 dated 31-12-1997 from pages 683 to 688 regarding Notification from Department of Power.

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Education

Notification

DE/CL/Lib/97-98/583

The following rules for all the Government Public Libraries i. e. State/District/Taluka and Village Libraries are hereby published for general information.

Suman Pednekar, Director of Education & Ex-Officio Joint Secretary.

Panaji, 14th November, 1997.

GOVERNMENT PUBLIC LIBRARIES RULES

The use and lending of books in State/District/Taluka and Village libraries shall be regulated by the following rules supplemented by such other rules as may be in force from time to time.

Hours of Opening

1. The working hours of the libraries will be put on the Notice Board of the respective libraries.

Enrollment of Members

2. Every intending borrower of books from the State/District/Taluka/Village library shall have his/her name registered in the respective library office by applying in prescribed form which shall be available in the library alongwith the rules, on payment of printed price.

3. Every intending member shall be required to submit the duly filled form in all respects.

- a. his/her full name.
- b. permanent address.
- c. present address.
- d. age (for children only.)
- e. profession/designation.
- f. specimen signature.
- g. suitable reference alongwith two stamp size latest photographs. (for State/District/Taluka libraries) required fees/deposit.
- h. the undermentioned shall be eligible to recommend:
 - i. Member of the Legislative Assembly of Goa.
 - ii. Principal and Professors of the Colleges and University of Goa (for students and staff of the institution).
 - iii. Gazetted Officers.
 - iv. Stipendiary Magistrate.
 - v. Principals and Headmasters from recognised educational institutions (for staff and students of respective institution).
 - vi. Heads and proprietors of firms including financial institution from Goa (for respective employees).
 - vii. Chairman of village Panchayat/Sarpanch (for persons residing in panchayat area.)
 - viii. President of Municipality/Member (for persons residing in municipal area).

- 4.a. Books will be lent for members of the public, who are Indian Nationals.

- i. For State Library — those residing in the State of Goa.
- ii. For District Library — those residing in the respective District.
- iii. For Taluka Library — those residing in the respective Taluka.
- iv. For Village library — those residing in the respective Village.

4. b. Foreign nationals registered in Indian Institutions will be allowed to borrow book from lending section only after depositing Rs. 2,000/- other regulations regarding deposit shall be governed by R-13.

5. The members shall pay the membership deposit and subscription fee as shown:—

i. For State & District Library.

	Adults	Children
1. Membership deposit	Rs. 100/-	Rs. 50/-
2. Subscription fee	Rs. 50/-	Rs. 10/-

ii. For Taluka Library deposit

1. Membership deposit	Rs. 50/-	Rs. 25/-
2. Subscription Fee	Rs. 25/-	Rs. 10/-

iii. For Village Library

1. Membership Deposit	Rs. 25/-	Rs. 10/-
2. Subscription fee	Rs. 10/-	Rs. 5/-

Due to constant increase in the cost of books, the membership deposit is subject to revision which will be notified.

Use of Books

6. No book/books forming part of the textbook collection, reference collection and valuable books, shall be issued for consultation in the library to a person, member or non-member until he/she present to the Section-In-Charge a duly signed call slip. Students should present their indenty card also.

7. Readers shall return, before leaving the library, to the Section-In-Charge, reference books and other materials specially requisitioned for consultation.

8. No tracing or mechanical reproduction of any book map or manuscript shall be done without the express permission of the Curator/Librarian.

9. Before leaving the counter, the member shall satisfy himself as to whether the book lent to him/her is in good condition and if not, shall immediately bring the matter to the notice of the Librarian on duty.

Loan of Books

10. Normally, no book that forms part of the Reference Collection, Textbook Collection, or any book valuable for its rarity or its illustration or the manuscript shall be lent out.

11. Unbound periodicals which have a subject value and books which cannot bear the strain of transit will not be lent out.

12. Books which are temporarily in special demand may be lent for such shorter period as may be necessary or may be declared as reference book and shall not be lent out.

13. In special circumstances the Curator/Librarian, may at his discretion permit certain books from Reference Section to be borrowed for a period of not more than one week on depositing Rs. 2000/- which will be refunded only after a period of one month. However, books which are purely Reference Sources, Rare books, out of print publications will be excluded from this criteria.

14. No books from the Lending Section will be issued, unless the borrowers ticket and identity card are produced at the counter.

15. Before leaving the counter, the member shall satisfy himself as to whether the book lent to him/her is in good condition and if not he/she shall immediately bring the matter to the notice of Librarian on duty.

16. A lent out book may be kept for a period of thirty days (or such period notified by the respective library), during which period it may be renewed at the request of the borrower provided there is no demand.

17. The Curator/Librarian reserves the right to call back the book before the due date when the need arises.

18. The written application for extension of loan period must reach the Librarian, one week before the due date.

19. Member shall be entitled to borrow one book/volume at a time. However, a member who desires to have more than one book (subject to maximum three) can do so by depositing an additional amount of Rs. 150/- for second book and Rs. 250/- for the third book) in addition to subscription fee of Rs. 50/- and Rs. 100/- respectively.

Non-return, Loss or Damage Books

20. A book lost or damaged in any way by a borrower shall have to be replaced. Otherwise the borrower shall place at the disposal of Curator/Librarian an amount sufficient enough to purchase the replacement copy (which will include cost of book and other incidental charges) or the cost fixed by the Curator/Librarian based on availability of the book and market rates.

21. If the book/books borrowed from the library are not returned/replaced/paid for, as in above clause, within one month after the notice sent to him/her by registered post his/her deposit shall be adjusted and his/membership terminated. In the case where value exceeds the deposit amount, the borrower shall pay the excess amount. (In case of his/her failure to pay, he/she will be declared as Library defaulter, and debarred from using Government Public Libraries. The amount deducted/collected on account of loss of books shall ordinarily be utilized in replacing the lost book unless it is decided not to do so (i. e in view of fact that the book was either not available in the market or a duplicate copy was already in the possession of the Library). In the later case the amount recovered from the borrower of the book, shall be credited to the Government Treasury as departmental receipt.

22. A list of library defaulters will be published periodical in local dailies. Such lists shall also be displayed at the notice board of libraries and sent to organisation/Institution, to whom the borrower is attached.

Borrowers' Tickets

23. Ordinarily every member will get one borrower's ticket and an identity card, however, under clause 19, a member shall get maximum 3 cards. He/She will be responsible for book/books borrowed on that/those tickets.

24. In case, the borrower's ticket/identity card is lost a duplicate borrower's ticket/identity card will be issued to him/her on his/her applying in the prescribed form, and on payment of Rs. 5/-. The borrower will be responsible for any misuse of his/her lost ticket/identity card. Library shall not undertake responsibility of detecting the misuse of such lost ticket/identity card.

25. Borrower's tickets/identity cards are not transferable.

Renewal and cancellation of membership

26. The membership shall remain in force for five years from the date of registration, unless previously surrendered or cancelled. At the time of renewal each member will be required to pay the difference in membership deposit and subscription fees. No book will be issued unless the membership is renewed.

27. If the member fails to renew the membership within a period of one month from the date of notice sent to him by registered post his/her membership will be cancelled, the deposit forfeited and credited to Government Treasury.

28. Members ceasing to use the library shall return tickets to the Librarian, for cancellation.

29. The Curator/Librarian shall have power to cancel the tickets and refuse admission to anyone infringing the rules and regulations of the Library or for indulging in any other misconduct.

Refund Deposit

30. No claim to money deposited by a borrower will be entertained unless the borrower's ticket, identity card and the receipt for the deposit is produced. If the ticket/identity card is lost a sum of Rs. 5/- each will be payable by him/her.

31. In case of members having more than one borrower ticket, as (under clause No. 19) no refund shall be allowed in parts.

32. In the event of claiming the amount before the expiry of five years, no part of subscription fee will be refunded.

33. Double membership shall not be allowed.

34. In case the original deposit receipt granted to a depositor is lost, the money will not be refunded unless the identity of the depositor is established to the entire satisfaction of the Curator/Librarian.

35. In case of the death of the original depositor, a succession certificate or satisfactory proof of the identity of the claimant in any other form is to be produced alongwith the death certificate.

36. Notice of one week must be given before deposit is withdrawn.

Overdue Charges

37. If a book is not returned to the library when due, an overdue charge of twenty five paise per day shall be levied. Official receipts will be given after receiving overdue charge from members.

In case the due dates falls on Sunday, Monday or Public Holidays the book will be treated as due on the following working day.

38. In case the borrower fails to pay the fine within one month, the borrower's ticket shall be withheld, his membership will be cancelled and the amount adjusted towards the recovery of fine.

General

39. Smoking, spitting, sleeping, loud conversation, standing in groups, writing on tables, sprinkling of pen ink, in any part of the library is strictly prohibited.

40. Curator/Librarian reserves to himself the right to refuse any application for membership without assigning any reason thereof.

41. Member shall intimate change of his/her address, if any.

42. The members and other visiting the Library shall be bound by these rules and the procedures and practices in force from time to time.

43. Readers shall note that the attendant at the counter is authorised to examine everything that passes in and out of the Library.

44. Only members shall have the right to access to the Lending Section for the purpose of borrowing books, but their representatives and others may be admitted and allowed to borrow books on their behalf, provided, they hold a letter of authority from the member concerned to the satisfaction of the Librarian on duty.

45. A person not of sound mind or found undesirable or offensively unclean in person or dress or intoxicated or suffering from any infectious disease shall not be admitted into the Library.

46. The Curator/Librarian or any other Official of the Library or In-charge of a particular section may refuse admission to any person whether member or non-member to the Library or any section, without assigning any reason, if in the opinion of the Official concerned it is undesirable to allow him/her admission. The officials above named may remove or cause to be removed.

47. A person shall not bring inside the Library building any wheeled vehicle (except for handicapped person), dogs and other animals.

48. Umbrellas, boxes, bags, printed materials in loose or in bound form and other belongings shall be left at the entrance. The Library shall not however be responsible for any loss or damage done to or any exchange made of the articles deposited at the entrance. Readers shall not deposit in any case valuables at the entrance. The person so depositing his belongings should collect them before the closing time of the Library.

49. In case the token issued to the depositor is lost by him, the articles will be returned to him/her only after producing sufficient proof regarding the articles.

50. The privileges conferred on the members and others under the rules cannot be claimed by them as a matter of right.

51. The Counter for issue of books shall be closed 10 minutes before the closing time of the Library.

52. Readers are requested not to disturb the arrangement of books on the shelves.

53. Unauthorized removal of books or other property from the library will be dealt with according to law.

54. Readers are requested to stand in queue during the rush hours.

55. Person desirous of using the Library shall enter their details alongwith signature in the book which is kept for the purpose. Such signature shall be taken as an acknowledgement that the person abides by the rules of the Library.

56. Readers having any grievances such as failure in the service, incivility on the part of the Library staff shall record the same in the complaint register kept for the said purpose.

57. Complaints, if any shall be made first to the Librarian on duty either orally or in writing.

Suman Pednekar, Director of Education.

Panaji, 14th November, 1997.

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Department of Election

Office of the Chief Electoral Officer

Notification

3-1-87/ELEC-Vol. III

The following Notification No. 56/97-Judl. III dated 15-12-1997 issued by the Election Commission of India, New Delhi is hereby published for general information.

D. N. Kamble, Asstt. Chief Electoral Officer.

Panaji, 19th December, 1997.

ELECTION COMMISSION OF INDIA

*Nirvachan Sadan,
Ashoka Road,
New Delhi - 110 001.*

*Dated 15th December, 1997.
Agrahayana 24, 1919 (Saka)*

Notification

No. 56/97-Judl. III In exercise of the powers conferred by Article 324 of the Constitution of India read with Rules 5 and 10 of the Conduct of Elections Rules 1961, and all other powers enabling it in this behalf, the Election Commission of India hereby makes the following Order to further amend the Election Symbols (Reservation and Allotment) Order, 1968, namely:—

1. *Short title and commencement*:— (1) This order may be called the Election Symbols (Reservation and Allotment) (Amendment) Order, 1997.

(2) It shall come into force on the date of its publication in the Gazette of India.

2. *Amendment of Paragraph 2*:— In the Election Symbols (Reservation and Allotment) Order, 1968 (hereinafter referred to as the 'principal Order'), in paragraph 2, in sub-paragraph (1), after clause (e), the following clause shall be inserted, namely:—

"(ee) 'form' means a form appended to this Order."

3. *Amendment of Paragraph 6*:—

In paragraph 6 of the principal Order, for sub-paragraph (2), the following sub-paragraphs shall be substituted, namely:—

"(2) A political party shall be treated as a recognised political party in a State, if and only if, either the conditions specified in clause (A) are, or the condition specified in clause (B) is, fulfilled by that party, and not otherwise, that is to say:—

(A) that such party—

(a) has been engaged in political activity for a continuous period of five years; and

(b) has, at the last general election in that State to the House of the People, or, as the case may be, to the Legislative Assembly of the State, returned:—

either (i) at least one member to the House of the People for every twenty-five members of that House or any fraction of that number elected from that State;

or (ii) at least one member to the Legislative Assembly of that State for every thirty members of that Assembly or any fraction of that number;

(B) that the total number of valid votes by all the contesting candidates set up by such party at the last general election in the State to the House of the People, or as the case may be, to the Legislative Assembly of the State, is not less than six percent of the total number of valid votes polled by all the contesting candidates at such general election in the State.

(2A) Notwithstanding anything contained in clause (B) of sub-paragraph (2), a political party shall be treated as a recognised political party in a State, if, at the general election to the House of the People or, as the case may be, to the Legislative Assembly of the State, in existence and functioning at or immediately before the commencement of the Election Symbols (Reservation and Allotment) (Amendment) Order, 1997, the total number of valid votes polled by all the contesting candidates set up by such party (but excluding the valid votes of each such candidate in a constituency as has not been elected and has not polled at least one-twelfth of the total valid votes polled by all the contesting candidates in that constituency) is not less than four per cent of the total number of valid votes polled by all the contesting candidates at such general election in that State (including the valid votes of those contesting candidates who have forfeited their deposits)."

4. *Substitution of new paragraph for paragraph 7:—* (1) For paragraph 7 of the principal Order, the following paragraph shall be substituted, namely:—

"7. *Two categories of recognised political parties.* — (1) If a political party is treated as a recognised political party in accordance with paragraph 6 in four or more States, it shall be known as, and shall have and enjoy the status of, a "National Party" throughout the whole of India, but only so long as that political party continues to fulfil thereafter the conditions specified in paragraph 6 for such recognised in four or more States on the results of any subsequent general election either to the House of the People or to the Legislative Assembly of any State.

(2) If a political party is treated as a recognised political party in accordance with paragraph 6 in less than four States, it shall be known as, and shall have and enjoy the status of, a "State Party" in the State or States in which it is so recognised, but only so long as that political party continues to fulfil thereafter the conditions specified in paragraph 6 for such recognised as a State Party on the results of any subsequent general election to the House of the People or, as the case may be, to the Legislative Assembly of the State, in the said State or States."

5. *Substitution of new paragraph for paragraph 9:—* For paragraph 9 of the principal Order, the following paragraph shall be substituted, namely:—

"9. *Restriction on the allotment of Symbols reserved for State Parties in States where such parties are not recognised*— A symbols reserved for a State Party in any State—

(c) shall not be included in the list of free symbols for any other State; and

(b) shall not be reserved for any other party which subsequently becomes eligible, on fulfilment of the conditions specified in paragraph 6, for recognition as a State party in any other State.

Provided that nothing contained in clause (b) shall apply in relation to a political party, for which the Commission has, immediately before the commencement of the Election Symbols (Reservation and Allotment) (Amendment) Order, 1997, already reserved the same symbol which it has also reserved for some other State Party or Parties in any other State or States."

6. *Substitution of new paragraph for paragraph 10:—* For paragraph 10 of the principal Order, the following paragraph shall be substituted, namely:—

"10 *Concessions to candidates set up by a State Party at elections in other States:—* If a political party, which is recognised as a State Party in some State or States, sets up a candidate at an election in a constituency in any other State, in which it is not a recognised State Party, then such candidate may, to the exclusion of all other candidates in the constituency, be allotted the symbol reserved for that party in the State or States in which it is a recognised State Party, notwithstanding that such symbol is not specified in the list of symbols for such other State, on the fulfilment of each of the following conditions, namely:—

(a) that an application is made to the Commission by the said party for exclusive allotment of that symbol to the candidate set up by it, not later than the third day after the publication in the Official Gazette of the notification calling the election;

(b) that the said candidate has made a declaration in his nomination paper that he has been set up by that party at the election and that the party has also fulfilled the requirements of clauses (b), (c) and (d) of paragraph 13 in respect of such candidate; and

(c) that in the opinion of the Commission there is no reasonable ground for refusing the application for such allotment:

Provided that nothing contained in this paragraph shall apply to a candidate set up by a State Party at an election in any constituency in a State in which that party is not a State party and where the same symbol is already reserved for some other State Party in that State."

7. *Substitution of new paragraph for paragraph 12:—* For paragraph 12 of the principal Order, the following paragraph shall be substituted, namely:—

"12. *Choice of symbols by other candidates and allotment thereof.*— (1) Any candidate at an election in a constituency in a State

other than—

(a) a candidate set up by a National party; or

(b) a candidate set up by a political party which is a State party in that State; or

(c) a candidate referred to in paragraph 10;

shall choose and shall be allotted in accordance with the provisions hereafter set out in this paragraph, one of the symbols specified as free symbols for that State by notification under paragraph 17.

(2) Where any free symbol has been chosen by only one candidate at such election, the returning officer shall allot that symbol to that candidate and to no one else.

(3) Where the same free symbol has been chosen by several candidates at such election, then—

(a) if of those several candidates, only one is a candidate set up by a political party, which is at present an unrecognised political party but which was a recognised State party in that State not earlier than six years from the date of notification of such election, the Returning Officer shall allot that free symbol to the candidate set up by such unrecognised political party and to no one else;

and, if of these several candidates, two or more candidates are set up by such unrecognised political parties, which previously were recognised State Parties in that State, the Returning Officer shall decide by lot as to which of these two or more candidates set up by the said political parties that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else;

(b) if of those several candidates, only one is a candidate set up by an unrecognised political party and all the rest are independent candidates, the Returning Officer shall allot that free symbol to the candidate set up by the unrecognised political party and to no one else and if of those several candidates, two or more are set up by different unrecognised political parties [other than the parties referred to in clause (a)] and the rest are independent candidates, the Returning Officer shall decide by lot to which of the two or more candidates set up by the different unrecognised political parties that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else;

Provided that where of two or more such candidates set up by such different unrecognised political parties, only one is, or was, immediately before such election, a sitting member of the House of the People, or, as the case may be, of the Legislative Assembly (irrespective of the fact as to whether he was allotted that free symbol or any other symbol at the previous election when he was chosen as such member), the returning Officer shall allot that free symbol to that candidate and to no one else;

(c) if of those several candidates, no one is set up by any unrecognised political party but all are independent candidates and one of the independent candidates is, or was immediately before such election a sitting member of the House of the People, or as the case may be, of the Legislative Assembly, and was allotted that free symbol at the previous election when he was chosen as such member, the returning officer shall allot that free symbol to that candidate and to no one else; and

(d) if of those several candidate, being all independent candidates, no one is or was a sitting member as aforesaid, the returning officer shall decide by lot to which of those independent candidates that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else.

8. *Substitution of new paragraph for paragraph 13:*— For paragraph 13 of the principal Order, the following paragraph shall be substituted, namely:—

“13. *When a candidate shall be deemed to be set up by a political party:*— For the purposes of this Order, a candidate shall be deemed to be set by a political party if, and only if,—

- (a) the candidate has made a declaration to this effect in his nomination paper;
- (b) a notice in writin, in Form B to that effect has, not later than 3 p. m. on the last date for making nominations, been delivered to the Returning Officer of the constituency and the Chief Electoral Officer of the State;
- (c) the said notice is signed by the President, the Secretary or any other office bearer of the party and the President, Secretary or such other office bearer is authorised by the party to send such notice;
- (d) the name and specimen signature of such authorised person are communicated to the Returning Officer of the constituency and to the Chief Electoral Officer of the State, in Form A not later than 3 p. m. on the last date for making nominations; and
- (e) Forms A and B are signed, in ink only, by the said office bearer authorised by the party:

Provided that no facsimile signature or signature by means of rubber stamp, etc., of any such office bearer shall be accepted and no form transmitted by fax shall be accepted.

9. *Insertion of Forms A and B:*— After paragraph 19 of the principle Order, the following forms shall be inserted:—

“FORM A

Communication with regard to Authorised Persons to intimate name of Candidates set up by recognised NATIONAL OR STATE Political party or REGISTERED UN-RECOGNISED political party.

[(See paragraph 13(c), (d) and (e) of the Election Symbols

Reservation and Allotment) Order, 1968.)]

To

1. The Chief Electoral Officer,..... (State/Union Territory).
2. The Returning Officer for the Constituency.

Subject:— General Elections to from (State/ Union Territory— Authorisation of persons to intimate names of candidates.

Sir,

In pursuance of paragraph 13 (c) (d) and (e) of the Election Symbols (Reservation and Allotment) Order, 1968, I hereby communicate that the following person (s) has/have been authorised by the party, which is National Party/State Party in the State of /Registered

Un-recognised Party to intimate the names of the candidates proposed to be set up by the party at the election cited above.

Name of person authorised to	Name of office held in the party	District(s)/area (s) constituency/ /constituencies in respect of which he has been authorised
1	2	3

1.
2.
3.

3. Specimen signatures of Shri

(i) (ii)

(iii)

Yours faithfully,

President/Secretary
Name of the Party

Place

Date

(Seal of the party)

NB.

2. The specimen signatures of the above mentioned person (s) so authorised are given below:—

1. Specimen signatures of Shri

(i) (ii)

(iii)

2. Specimen signatures of Shri

(i) (ii)

(iii)

1. This must be delivered to the Returning Officer and the Chief Electoral Officer not later than 3 p. m. on the last date for making nominations.

2. Form must be signed in ink by the office bearer (s) mentioned above. No facsimile signature or signature by means of rubber stamp, etc., of any office bearer shall be accepted.

3. No form transmitted by fax shall be accepted.

FORM B

Notice as to means of candidates set up by the political party

[(See paragraph 13(b) and (e) of the Election Symbols

(Reservation and Allotment Order, 1968)]

To

3. The Chief Electoral Office, (State/Union Territory).

4. The Returning Officer for the Constituency.

Subject:— General Elections to Form (State/Union Territory) — setting up of candidate.

Sir,

In pursuance of paragraph 13 (b) and (e) of the Election Symbols (Reservation and Allotment) Order, 1968, I hereby give notice that the following persons have been set up by party as its candidates at the ensuing General Election from the constituency noted against:

Name of the constituency	Name of the approved candidate	Father's/Husband's name of approved candidate	Postal address of approved candidate	Name of the substitute candidate (who will step-in on the approved candidates nomination being rejected on scrutiny	Father's Husband's name of substitute candidate	Postal address of substitute candidate
1	2	3	4	5	6	7

Yours faithfully,

(Name and signature of the Authorised
person of the Party)

(Seal of the Party)

Place

Date

NB

4. This must be delivered to the Returning Officer and the Chief Electoral Officer not later than 3 p. m. on the last date for making nominations.
5. Form must be signed in ink by the office bearer (s) mentioned above. No facsimile signature or signature by means of rubber stamp, etc., of any office bearer shall be accepted.
6. No form transmitted by fax shall be accepted."

By Order,

K. J. RAO

Secretary

Department of Home

Home-General Division

Order

17-26-96-HD(G)

The following Departmental Selection Committee/Departmental Promotion Committee is constituted for Group 'C' divers and Group 'D' posts in the Rajya Sainik Board with immediate effect:

Group 'C' drivers in the office of Rajya Sainik Board

- | | | |
|--|-----|----------------------|
| (1) Head of Department | ... | Chairman. |
| (2) Director of Transport or his nominee
not below the rank of Assistant
Director of Transport | .. | Member. |
| (3) Assistant Engineer Mechanical from
Government Garage P. D. W. | ... | Member. |
| (4) The Secretary Rajya Sainik Board | ... | Member
Secretary. |

Group 'D' posts in the office of Rajya Sainik Board.

- | | | |
|-----------------------------------|-----|----------------------|
| (1) Special Secretary (Home) | ... | Chairman. |
| (2) Under Secretary (Home) | ... | Member. |
| (3) Secretary, Rajya Sainik Board | ... | Member
Secretary. |

4. Mascarenhas, Under Secretary (Home).

aji, 14th November, 1997.

Department of Panchayat Raj and Community
Development

Directorate of Panchayats

Notification

17/43/DP/New-Scheme/95-96/2048

Scheme for utilising the grants sanctioned by the Central Government on the recommendation of the Tenth Finance Commission by the Village Panchayats

1. Objectives:

The objectives of the scheme is to supplement the resources of the Panchayat Raj Institution and to finance developmental expenditure to enable the Village Panchayats to discharge the functions and responsibilities imposed by the Constitution.

2. Purposes for which the grants may be sanctioned:

- a) Construction and maintenance of Village roads, link roads, drains and culverts.
- b) Construction, repairs and maintenance of drinking water wells, tanks, ponds and public springs.
- c) Prevention and control of water pollution.
- d) Maintenance of general sanitation.
- e) Cleaning of public roads, drains, tanks, wells and other public places.
- f) Establishment and maintenance of Village libraries and reading rooms.
- g) Construction of play fields.
- h) Construction of Children's park.
- i) Construction of Crematorium.

3. Limits and extent of Grants:

The grants may be sanctioned for undertaking any schemes/ work as specified in clause 2 to all the Panchayats equally proportionate to the population of the Village Panchayat. The extent to which the grants can be sanctioned will be as follows:

- a) Panchayats whose annual income is upto Rs. 50,000/- — 90% of the Project Cost
- b) Panchayats whose annual income is above Rs. 50,000/- but upto Rs. 2,00,000/- — 75% of the Project Cost
- c) Panchayats whose annual income is Rs. 2,00,000/- and above. — 50% of the Project Cost

Explanation:— “Annual income” means the income of the Panchayat from all sources inclusive of taxes, fees, Octroi, rents, fines, sale proceeds, Bank interest, matching grants, etc., but does not include loans Security Deposits, guarantees and grants sanctioned for developmental works.

4. The Panchayat shall utilise the grants to any of the purpose specified in clause 2 of the scheme within a period of one year from the date of drawal. However the Director of Panchayats may extend the time limit to such period as he may deem necessary at the request of the Panchayat in deserving cases.

The sanction of grants shall be subject to availability of funds.

5. The Block Developmental Officer shall draw and disburse the grants on receipt of Sanction Order. The grants shall be drawn in form TR 42, duly signed by the Sarpanch and countersigned by the Block Development Officer.

6. Any portion of the grant which is not utilised or is not ultimately required for the purpose for which it is sanctioned shall be refunded in cash to the Government Treasury.

7. Panchayat shall prepare the estimates of the proposed project and obtain the technical sanction from the competent authority before the execution of work. The Panchayat shall also invite tenders and follow the procedure as laid down in CPWD manual while executing the work. The payment to the contractor be effected only after obtaining the certificate issued by the Extension Officer (RE), from the office of the B. D. O. regarding the completion of work in accordance with specifications, terms and conditions and tender.

8. The work shall be executed under the supervision of respective Block Development Officer who shall ensure that the amount sanctioned under this scheme is utilised for the purpose for which it is sanctioned within the prescribed time limit.

9. The Panchayat shall submit to the Block Development Officer a “Utilization Certificate” in Form GFR 19-A as required under GFR 151(1) within one month from the date of its utilization, but not later than 18 months from the date of drawal.

10. The Panchayat shall maintain a Register of Grants in Form G. F. R. 19. The Block Development Officer shall also maintain necessary registers and ensure compliance of all the conditions by the Grantees institution.

11. No grants shall be sanctioned unless the previous grants are fully utilised by the Panchayats and utilization certificates are furnished. Any part of grants remaining un-utilised/unspent shall be refunded immediately.

12. The grants shall be utilised for the purpose for which it is sanctioned, and shall not be utilised for any other purpose without the written prior approval from the sanctioning authority.

13. The accounts of the Panchayats shall be audited by such Officer as may be authorised by the Director of Accounts every year as envisaged in section 187 of the Goa Panchayat Raj Act, 1994. The accounts shall also be open to a test check by the Comptroller and Auditor General of India at his discretion.

14. The grants/grantee institutions shall also be subject to all other conditions as laid down under the General Financial Rules, as amended from time to time.

15. The Director of Panchayats shall be the sanctioning Authority, subject to the limitations laid down in the Goa Delegation of Financial Powers Rules.

16. This issues with the concurrence of Finance Department, vide their U. O. No. FS/2116 dated 5-9-1997.

By order and in the name of the Governor of Goa.

G. G. Kambli, Director of Panchayats and Ex-Officio Joint Secretary.

Panaji, 1st October, 1997.

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Notification

25/DP/ELT-PET-DISPT/97

The following draft Rules which are proposed to be made under sections 17 and 23 of the Goa Panchayat Raj Act, 1994, (Goa Act No. 14 of 1994), is hereby prepublished as required by sub-section (1) of Section 240 of the said Act, for information of the persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government on the expiry of ten days from the date of publication of this Notification in the official Gazette.

All objections and suggestions to the draft Rules may be forwarded to the Director of Panchayats and Ex-Officio Joint Secretary to the Government of Goa, Junta House, 3rd lift, 3rd floor, Panaji, before the expiry of ten days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by sections 17 and 23 read with sub-section (1) of section 240 of the Goa Panchayat Raj Act, 1994 (Act 14 of 1994), the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.* — (1) These rules may be called the Goa Panchayat Raj (Election Petition Dispute Procedure) Rules, 1997.

(2) They shall come into force at once.

2. *Definitions.* — In these rules, unless the context otherwise requires,—

(a) “Act” means the Goa Panchayat Raj Act, 1994 (Act 14 of 1994);

(b) “Administrative Tribunal” means Administrative Tribunal constituted under section 3 of the Goa Administrative Tribunal Act, 1965 (Act No. 6 of 1965);

(c) “Candidate” means a person who has been or claimed to have been duly nominated as a candidate at any Village Panchayat election, and any such person shall be deemed to have been a candidate as from the time when, with the election is prospect, he began to hold himself as a prospective candidate;

- (d) "Costs" means all costs, charges and expenses of or incidental to a trial of election petition;
- (e) "Pleader" means any person entitled to appear and plead for another in a civil court within the State of Goa;
- (f) "Registrar" means Registrar of Goa Administrative Tribunal constituted under the Goa Administrative Tribunal Act, 1965 (Act No. 6 of 1965);
- (g) "Returned candidate" means a candidate declared elected at Village Panchayat election;
- (h) "Words and expressions" which are not defined under these rules shall have the same meaning as assigned to them under the Act;

3. *Election Petition.* — No election shall be called in question except by a election petition which shall contain such concise statement and contents as specified under section 17 of the Act and shall be accompanied by an affidavit in the form appended to the rules in support of the allegations of such corrupt practices indulged by the returned candidate, and shall be presented in accordance with the provisions of these rules.

4. *Processing fee.* — At the time of process of election petition the petitioner or his pleader shall pay a fee of Rs. 100/- in court fee stamp and deposit the amount to cover the cost of preparing certified copies according to the scale of copying fees as specified below. The amount so calculated according to the amount of fee shall be deposited with the Registrar, as copying fees and the amount if any, paid and the amount deposited exceeds the amount of copying fees so deposited, it shall be refunded to the applicant at the time of delivering the copies:

Provided that the applicant shall if the amount deposited by him is not found to be sufficient to cover the amount of copying fee, to pay the deficient arrears at the time of taking delivery of the copies.

(i) For obtaining a certified copy of the document for the first 200 words or less — Rs. 5/-

(ii) For every additional 100 words — Rs. 3/-

5. *Presentation of petition.* — (1) The election petition calling the question of election may be presented in person or through the pleader to the President of Goa Administrative Tribunal to hear and to decide the election dispute thereof.

(2) As soon as the appeal is received by the Registrar, he shall endorse thereon, the date of its receipt, if he is satisfied that —

- (a) the person presenting has authority to do so;
- (b) it conforms to the provisions of section 17 and the rules.

(3) If the Registrar has found that the appeal so presented does not conform to any of the provisions of section 17 and the rules, he shall —

- (i) where the defects to be remedied are not of a minor nature, with the approval of the President of Goa Administrative Tribunal, return the appeal without endorsement specifically pointing out such defects and;

- (ii) where the appeal contains defects of minor nature, the Registrar, may, with the approval of the President of Goa Administrative Tribunal, by a separate letter, specifically point out such defects and shall call upon the appellant or his agent to remedy or to explain such defects within the period of 15 days from the date of receipt of such letter. If the appellant or his agent fails to remedy or explain satisfactorily the defects within the said period, the Registrar shall place the appeal before the President of Goa Administrative Tribunal for his decision on merits and the defects remedying so unremedies shall be taken into consideration by the President of Goa Administrative Tribunal at the time of hearing the appeal.

6. *Furnishing additional copies of documents.* — The Registrar, may, with the approval of the president of Goa Administrative Tribunal, call upon the appellant to furnish within specified period as many additional copies of Memorandum of Appeal together with its accompaniments, as he may consider necessary for supply to the respondent or other person if any, or if required otherwise. If the appellant does not furnish the additional copies of the documents called upon thereof, the President of Goa Administrative Tribunal may reject the appeal.

7. "Corrupt practices, Save as otherwise provided under section 23 of the Act", corrupt practice means and includes —

- (i) movement of candidate, his agent or another person on his behalf to solicit the voter from the voting of particular candidate and distributing cards/names/symbols before forty eight hours of the poll;
 - (ii) using any Government vehicle, panchayat premises and any machinery for organising any meeting or parties;
- and
- (iii) to solicit voters by any means such as offering in kind or cash.

FORM OF AFFIDAVIT

(See rule 3)

Before the election petition Authority (President of Goa Administrative Tribunal) at Panaji

Election Petition No.

Shri/Smt.
 Profession of Age Petitioner
 Indian National,
 H. No. Waddo
 Village
 (Specify detailed address)

V/s.

Shr/Smt.
 Profession of Age Respondent
 Indian National,
 H. No. Waddo
 Village
 (Specified detailed address)

AFFIDAVIT

I, the above named petitioner do hereby state and decalre on solemn affirmation as under:

1. That I am a voter enrolled at Sr. No. of Ward No. of Village Panchayat of Taluka of Goa.
(District)

Or

(Write whichever is applicable)

2. That I was a candidate contesting from Ward No. of Village Panchayat of Taluka and that the Respondent No. has been duly elected from the said ward.
3. That the Respondent No. was indulged in the following corrupt practices.
I.
II.
III. and so on.
4. That the contents of para to are true to my personal knowledge.
Solely affirmed at on this day of

Deponent

Identified by me:

Explained in Konkani/Marathi
in the language known to the
deponent by Shri

By order and in the name of the Governor of Goa.

G. G. Kambli, Director of Panchayat and Ex-Officio Joint Secretary.

Panaji, 15th December, 1997.

Department of Personnel

Notification

1/25/87-PER(Part file)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in superssion of the existing recruitment Rules for the relevant posts, the Governor of Goa hereby makes the following rules to regulate the recruitment to Group 'C' Non-Ministerial, Non-Gazetted posts in the Directorate of Civil Supplies and Price Control under the Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, the Directorate of Civil Supplies and Price Control Group 'C' Non-Ministerial, Non-Gazetted posts Recruitment Rules, 1997.

(2) They shall apply to the posts specified in column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scales of pay.*— The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in column 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in column 2 of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in column 5 to 13 of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a peron having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provision of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concession required to be provided for Scheduled castes, and other special catégories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

S. S. Keshkamat, Joint Secretary (Personnel).

Panaji, 8th December, 1997.

SCHEDULE

Name/ Designation of post	Number of posts	Classifi- cation	Scale of pay	Whether selection post or non- selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifi- cations required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees.	Period of probation, if any	Method of recruit- ment, whether by direct recruitment or by promotion or by deputation/ transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/ transfer, grades from which promotion/ deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Sub- -Inspec- tor Civil Sup- plies.	12 (1997) Subject to variation depend- ent on work- load.	Group 'C' Non- -Minis- terial Non-Ga- -zatted.	Rs. 1200- -30- -1560- -EB-40- -2040.	N. A.	Not exceeding 35 years (Re- laxable for Government servants in accordance with the orders or instructions issued by the Government).	No	<i>Essential:</i> (1) Degree of a recognised Uni- versity or equivalent. (2) Knowledge of Konkani. <i>Desirable:</i> Knowledge of Marathi.	N. A.	2 years.	By direct re- cruitment.	N. A.	Group 'C' D. P. C.	N. A.